

FILED

04 MAY 27 PM 2:25

LANCE S. WILSON
CLERK

BY _____
DEPUTY

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

Defendants.

IN EQUITY NO. C-125-ECR
Subproceeding: C-125-B

REPORT OF THE UNITED STATES OF
AMERICA CONCERNING STATUS OF
SERVICE ON CERTAIN PERSONS
AND ENTITIES

EXHIBITS 40 through 91

268

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date

9/2/03

Signature

Brian Chally
Brian Chally

Printed Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: Chief Civil Deputy of
(Title)
Douglas County District Attorney
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA.

Plaintiff,

WALKER RIVER PAIUTE TRIBE.

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

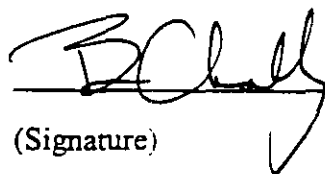
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

1 Attorney: Brian Chally
2 Chief Civil Deputy District Attorney
3 Douglas County District Attorney's Office

4 Address: Post Office Box 218
5 Minden, Nevada 89423

6 Phone Number: 775-782-9803

7 Fax Number: 775-782-9807

8 
9 (Signature)

10 Brian Chally
11
12 (Printed or typed Name)

13 Douglas County, Nevada
14 (Entity, if any, on whose
15 behalf you are appearing)
16 Post Office Box 218
17 Minden, Nevada 89423
18 (Address)
19 775-782-9803
20 (Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 8/26/03

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: TREASURER of

E.L.W. RANCHES INC. (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

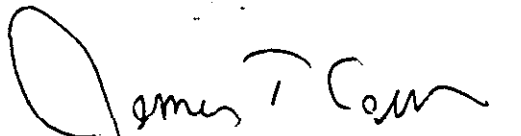
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

JAMES T. CARRICO

(Printed or typed Name)

ELW RANCHES, INC.

(Entity, if any, on whose
behalf you are appearing)

165 W. LIBERTY ST
RENO NV 89501

(Address)

(775) 333-0320

(Telephone number)

There is no EXHIBIT 43

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	In Equity No. C-125-ECR
)	Subfile No. C-125-B
WALKER RIVER PAIUTE TRIBE,)	
)	DISCLAIMER OF INTEREST IN
Plaintiff-Intervenor,)	WATER RIGHTS AND NOTICE OF
)	RELATED INFORMATION AND
v.)	DOCUMENTATION SUPPORTING
)	DISCLAIMER
WALKER RIVER IRRIGATION)	
DISTRICT,)	
a corporation, et al.,)	
)	
Defendants.)	

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, **disclaims all interest in this action.**

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

And

Susan L. Schneider
United States Department of Justice
P.O. Box 756
Littleton, CO 80160

Exhibit 44

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once owned before the undersigned was served with a Waiver of Service of Notice in Lieu of Summons or by a Notice in Lieu of Summons, the undersigned provides the following additional information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Name(s):

Street or P.O. Box:

Town or City:

State:

Zip Code:

2. The name and address of each person or entity who acquired ownership

Name(s):

Street or P.O. Box:

Town or City:

State:

Zip Code:

Costello Cattle Co
310 Austin
Harlingen, Tx 78550

has never been to Nevada
does not own any land
at water rights and has
never had a head of cattle
any where but south in
to what the hell is the
all about. Please
remove my name and
company from your
suit.

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

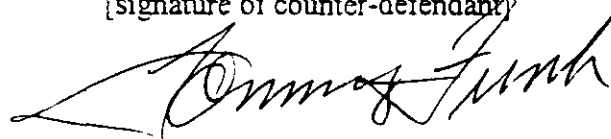
- ☐ Deed
☐ Court Order
☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this 13 day of August 2003

[signature of counter-defendant]



[name of counter-defendant]

ESTRELLA CATTLE CO.

1

2

3

[name, if applicable, of person acting on
behalf of counter-defendant]

4

5

6

7

[signature, if applicable, of person acting on
behalf of Counter-Defendant]

8

9

10

11

12

13

14

15

[address]

16

17

18

[telephone number]

19

20

21

22

23

24

25

26

27

28

No. **41526**Date Filed **JUN 13 1980**

Case 3:75-cv-00127-MMD-CSD Document 2610548 Filed 05/27/04 Page 14 of

Indexed under

Well Log

Name of applicant ☒
 Map ☐ Basin East Walker Area-
 Stream ☒ 9-109
 Township 11N Range 28E County Mineral

Point of diversion SE 1/4 SW 1/4 Section 19Applicant Estrella Cattle Company**ASSIGNED**Source of Water Abraham Spring

Returned for correction

Abrogated by

Corrected application received

Map filed June 13, 1980Sent for publication SEP 22 1980Proof of publication filed NOV 3 1980

Investigated on ground by

Protested 11/6/80 U.S. S.L.M. Pro. overruled 8-26-99 Sec Ruling 4767Ready for action NOV 28 1980Approved October 6, 19990.0312Stokwatering

Denied

	PROOF OF COMMENCEMENT	PROOF OF COMPLETION	PROOF OF BENEFICIAL USE	CULTURAL MAP
Date due		<u>NOV 06 2001</u>	<u>NOV 06 2002</u>	<u>N/A</u>
1st extension				
2nd extension				
Date filed				

CERTIFICATE NO.	ISSUED	AMOUNT
Use		

ADDRESS CHANGE

CHANGE OF ADDRESS:

ELW Ranches, Inc.
 165 West Liberty
 Reno, NV 89501
 10-24-90

COMPUTER CHECK	
File Entry	<input checked="" type="checkbox"/>
Publication	<input checked="" type="checkbox"/>
Permit	<input checked="" type="checkbox"/>
Certificate	<input checked="" type="checkbox"/>

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

~ ~ ~ ~ ~

WHEREAS, Ross E. de Lipkau, Agent, has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Abraham Spring, through a spring box, pipe and earthen pond for stockwater purposes. The point of diversion of water from the source is as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19, T.11N., R.28E., M.D.B.&M., (unsurveyed), or at a point from which the SW corner of said Section 19, bears S. 87°09'17" W., a distance of 2,351.0 feet situated in Mineral County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of NRS 533.425, has determined the date, source, purpose, amount of appropriation, and the place where such water is appurtenant, as follows:

Name of appropriator:	ELW Ranches, Inc.
Source:	Abraham Spring
Manner of Use:	Stockwater
Amount of appropriation:	0.01114 c.f.s., or sufficient to water 1800 head of sheep
Period of use:	January 1st to December 31st of each year
Date of priority of appropriation:	June 13, 1980

Description of the works of diversion, manner and place of use:

Water is diverted by means of a spring box, thence through 20 feet of 1 inch diameter pipe to an earthen stock watering pond where 1,800 head of sheep water within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 19, T.11N., R.28E., M.D.B.&M., being within the Gray Hills Allotment.

Note: Both U.S.G.S. and B.L.M. maps mislabel the source as Water Tank Spring.

This certificate is issued subject to the prior reserved rights of the United States if in fact these rights exist and the source meets the proper criteria.

This certificate is issued subject to the terms of the permit.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place and for the purpose as set forth herein.

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of February, A.D., 2002.

cmf/sb


State Engineer

Indexed under _____ Well Log _____

Name of applicant X _____

Map _____ Basin East Walker Area-

Stream X 9-109

Township 11N Range 28E County Mineral

Point of diversion NW 1/4 SW 1/4 Section 33

Applicant Estrella Cattle Company **ASSIGNED**

Source of Water Water Tank Spring

Returned for correction _____ Abrogated by _____

Corrected application received _____

Map filed June 13, 1980

Sent for publication SEP 22 1980

Proof of publication filed NOV 2 1980

Investigated on ground by _____

Protested 11/6/80 U.S. L.M. Pro. overruled 8-26-99 See Ruling 4767

Ready for action NOV 28 1980

Approved October 6, 1999 0.0312 cfs Stockwatering

Denied _____

	PROOF OF COMMENCEMENT	PROOF OF COMPLETION	PROOF OF BENEFICIAL USE	CULTURAL MAP
Date due		<u>NOV 06 2001</u>	<u>NOV 06 2002</u>	<u>N/A</u>
1st extension				
2nd extension				
Date filed				

CERTIFICATE NO.	ISSUED	AMOUNT
Use		

ADDRESS CHANGE _____

CHANGE OF ADDRESS:
 ELW Ranches, Inc.
 165 West Liberty
 Reno, NV 89501
 10-24-90

COMPUTER CHECK	
File Entry	<u>KE</u>
Publication	<u>✓</u>
Permit	<u>KE</u>
Certificate	

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

~ ~ ~ ~ ~

WHEREAS, Ross E. de Lipkau, Agent, has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Water Tank Spring, through a spring box, pipeline and troughs for stockwater purposes. The point of diversion of water from the source is as follows:

NW¹ SW¹ Section 33, T.11N., R.28E., M.D.B.&M., unsurveyed), or at a point from which the SW corner of Section 31, T.11N., R.28E., M.D.B.&M., bears S. 79°45'54" W., a distance of 11,463.0 feet situated in Mineral County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of NRS 533.425, has determined the date, source, purpose, amount of appropriation, and the place where such water is appurtenant, as follows:

Name of appropriator:	ELW Ranches, Inc.
Source:	Water Tank Spring
Manner of Use:	Stockwater
Amount of appropriation:	0.01114 c.f.s., or sufficient to water 1800 head of sheep
Period of use:	January 1st to December 31st of each year
Date of priority of appropriation:	June 13, 1980

Description of the works of diversion, manner and place of use:

Water is diverted by means of a spring box, thence through 1 inch diameter pipe to metal watering troughs where 1,800 head of sheep water within NE¹ NE¹, Section 11; SE¹ SE¹, Section 14; SE¹ SE¹, Section 23; T.10N., R.27E., M.D.B.&M., and Lot 2 (NW¹ NE¹), Section 6, T.10N., R.28E., M.B.D.&M., being within the Gray Hills Allotment.

This certificate is issued subject to the prior reserved rights of the United States if in fact these rights exist and the source meets the proper criteria.

This certificate is issued subject to the terms of the permit.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place and for the purpose as set forth herein.

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of February, A.D., 2002.

cmf/sb


State Engineer

No. **41528**Date Filed **JUN 13 1980**

Case 3:73-cv-00127-MMD-CSD Document 2610548 Filed 05/27/04 Page 18 of

Name of applicant	<input checked="" type="checkbox"/>	Well Log
Map	<input type="checkbox"/>	Basin East Walker Area-
Stream	<input checked="" type="checkbox"/>	9-109
Township 11 N	Range 28 E	County Mineral

Point of diversion **SE 1/4 NW 1/4 Section 28**Applicant **Estrella Cattle Company****ASSIGNED**Source of Water **Twilight Spring**

Returned for correction

Abrogated by

Corrected application received

Map filed **June 13, 1980** Under **41527**Sent for publication **SEP 22 1980**Proof of publication filed **NOV 2 1980**

Investigated on ground by

Protested **11/6/80 USBLM Pro. Overruled 8-26-99 See Ruling 4767**Ready for action **NOV 28 1980**Approved **October 6, 1999****0.0312****Stockwatering**

Denied

	PROOF OF COMMENCEMENT	PROOF OF COMPLETION	PROOF OF BENEFICIAL USE	CULTURAL MAP
Date due	NOV 06 2001	NOV 06 2002	N/A	
1st extension				
2nd extension				
Date filed				

CERTIFICATE NO.	ISSUED	AMOUNT
Use		

ADDRESS CHANGE

CHANGE OF ADDRESS:

ELW Ranches, Inc.
165 West Liberty
Reno, NV 89501
10-24-90

COMPUTER CHECK	
File Entry	KY
Publication	✓
Permit	KE
Certificate	

CERTIFICATE OF APPROPRIATION OF WATER

~ ~ ~ ~ ~

WHEREAS, Ross E. de Lipkau, Agent, has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Twilight Spring, through a spring box, pipeline and troughs for stockwater purposes. The point of diversion of water from the source is as follows:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, T.11N., R.28E., M.D.B.&M., (unsurveyed), or at a point from which the SW corner of Section 31, T.11N., R.28E., M.D.B.&M., bears S. 54°10'17" W., a distance of 14,558.0 feet situated in Mineral County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of NRS 533.425, has determined the date, source, purpose, amount of appropriation, and the place where such water is appurtenant, as follows:

Name of appropriator:	ELW Ranches, Inc.
Source:	Twilight Spring
Manner of Use:	Stockwater
Amount of appropriation:	0.01114 c.f.s., or sufficient to water 1800 head of sheep
Period of use:	January 1st to December 31st of each year
Date of priority of appropriation:	June 13, 1980

Description of the works of diversion, manner and place of use:

Water is diverted by means of a spring box, thence through 1 inch diameter pipe to concrete watering troughs where 1,800 head of sheep water within NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35; T.11N. R.27E., M.D.B.&M., and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, T.11N., R.28E., M.B.D.&M., being within the Gray Hills Allotment.

This certificate is issued subject to the prior reserved rights of the United States if in fact these rights exist and the source meets the proper criteria.

This certificate is issued subject to the terms of the permit.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place and for the purpose as set forth herein.

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of February, A.D., 2002.

cmf/sb


State Engineer

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

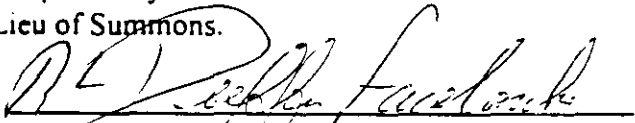
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5/28/03


Signature
R L DUFFELL FAIRBANKS
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: _____ of (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA.

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,

a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

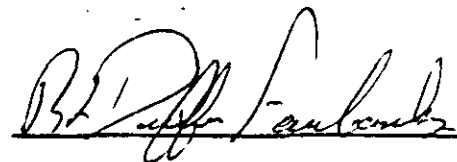
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

R. L. Duffer Fairbanks

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

DIVISION OF WATER RESOURCES

SUMMARY OF OWNERSHIP

Please retain this sheet on top of file

PERMIT:	13013
CERTIFICATE:	4928

USE:
ISSUED:

12-23-9

CFD
CFD

2.01

DUTY: AFA
DUTY: 91.28 AFA

Page 1 OF 1
ACRES
ACRES
85

REVIEW

DATE: 5-11-99

BY: RHZ

SUPPLEMENTAL TO:

APPURT.

DUTY **AFA**

ENANT
ACRES

CHANGED BY:
STATUS

REFERENCED DOCUMENTS

OWNER

De/Star Ranch

1.65

74.78

49.85

32

**Charles N. Mathewson July 22, 1992
Trust**

0.36

16.50

11.00

33

ENCUMBRANCE(S): YES () NO (X)

No. 12884
Indexed under

Log 1488

Name of applicant	X	Report No.	<u>0-106</u>
Map			
Stream	X		
Field Book	X		
Township	<u>10 N R 23 E</u>	X	
<u>NE 1/4 NW 1/4 Section 19,</u>		<u>Douglas</u>	
Application filed	<u>AUG 5 1949</u>		
Applicant	<u>Freeman E. Fairfield</u>		
Source of water	<u>Underground (Well #10)</u>		
Returned for correction			
Corrected application received			
Sent for publication	<u>SEP 13 1949</u>		
Proof of publication filed	<u>OCT 13 1949</u>		
Investigated on ground by			
Protested	<u>Nov 10, 1949 by Walker River Irr. Dist, et al.</u>	<u>OVERRULED 7/7/50</u>	<u>*55</u>
Ready for action			
Approved	<u>Aug. 1, 1950 for 2.3 cfs for Irrig. & Domestic</u>		
Denied			
Withdrawn by applicant			
Canceled			
Well log filed			
Proof of labor filed	<u>NOV 30 1950</u>	<u>October 20, 1959</u>	<u>June 25, 1951, 1956</u>
Map filed	<u>Aug. 5 1949, under No 13009</u>		<u>June 25, 1951, 1956</u>
Proof of completion of work filed	<u>JUL 23 1951</u>		<u>June 25, 1952</u>
Proof of beneficial use filed	<u>NOV 2 1959</u>		<u>June 25, 1953, 1954</u>
Certificate No.	<u>4928</u>	issued	<u>12/29/59 for 2.0 cfs 1959 1954 1956</u>
RECORDED	<u>12/29/59</u>	SR	<u>12/29/59</u>
<p><u>Douglas</u> COUNTY RECORDER EXT TO PREVENT FORFEITURE GRANTED TO <u>FEB 12 2008</u></p>			

SEE ADDRESS LIST

ABSTRACT OF TITLE

Please retain this sheet underneath the Summary of Ownership form

PERMIT 13013 (Cert. 4928)

PAGE 1 of 5

DEED NO.	GRANTOR	GRANTEE	CFS	AFA	ACRES	FILED UNDER DATE	DOC # DATE	DOCUMENT DESCRIPTION/REMARKS
1	Estate of Freeman E. Fairfield, by Kenneth R. Davis, executor	Joseph T. Banner, Frank C. Bosler, Ron Kincade	2.01	91.28	60.85	12884 6-13-69	44302 5-1-69	G, B & S Deed
2	Joseph T. Banner & Lauvella M. Banner; Frank C. Bosler & Opal Shirley Bosler; Ron Kincade & Maryjean Kincade	Fairfield Ranches, Inc.	2.01	91.28	60.85	12884 6-13-69	44675 6-19-69	G, B & S Deed
3	Fairfield Ranches, Inc.	Walker River Development Company	2.01	91.28	60.85	12884 4-8-71	48631 7-7-70	G, B & S Deed
4	Walker River Development Company	Grant & Co.	2.01	91.28	60.85	12884 4-8-71	51880 3-15-71	G, B & S Deed
5	Grant & Co.	Walker River Development Company	2.01	91.28	60.85	12884 6-12-78	58113 3-9-72	QC Deed
6	Walker River Development Company	Joseph S. Ladato	2.01	91.28	60.85	12884 5-18-78	59920 6-13-72	QC Deed
7	Walker River Development Company	Joseph S. Ladato	2.01	91.28	60.85	12884 5-18-78	59921 6-13-72	QC Deed
8	Joseph S. Ladato	First American Title Co. of Nevada, trustee; Lauvella T. Banner, executrix (76.63%) & Frank C. Bosler (23.37%), benef	2.01	91.28	60.85	12884 6-7-79	Douglas Co. 87682 3-8-76	Info Only: Deed of Trust

ABSTRACT OF TITLE

Please retain this sheet underneath the Summary of Ownership form

PERMIT 13013 (Cert. 4928)
PAGE 2 of 5

DEED NO.	GRANTOR	GRANTEE	CFS	AFA	ACRES	FILED UNDER DATE	DOC # DATE	DOCUMENT DESCRIPTION/REMARKS
9	Joseph S Ladato, trustor	First American Title Co. of Nevada, trustee	2.01	91.3	60.85	12884 6-7-79	04099 10-20-76	Info Only: Notice of Breach & Default
10	Joseph S Ladato, trustor	First American Title Co. of Nevada, trustee	2.01	91.3	60.85	12884 6-7-79	04785 11-22-76	Info Only: Amended Notice of Breach & Default
11	First American Title Co. of Nevada, trustee	Lauvella M. Banner, who acquired title as Lauvella T. Banner (76.63%) & Frank C. Bosler (23.37%)	2.01	91.3	60.85	12884 6-7-79	12163 8-19-77	Trustee's Deed upon Sale
12	Lauvella M. Banner, who acquired title as Lauvella T. Banner (76.63%) & Frank C. Bosler (23.37%)	Horizon Land, Inc.	2.01	91.3	60.85	12884 11-30-93	49274 10-6-80	G, B & S Deed
13	Horizon Land, Inc., trustor	Title Insurance & Trust Co., trustee, Lauvella M. Banner (76.63%) & Frank C. Bosler (23.37%), benef.	2.01	91.3	60.85	12884 11-30-93	49276 10-6-80	Info Only: Deed of Trust
14	Horizon Land, Inc., defaulter	-----	--	--	--	12884 5-7-99	Letter 5-5-99	Bus. Suspended per CA Franchise Tx Bd. of 7-1-82. See related documents in 35605
15	Horizon Land, Inc.	Capital Mortgage & Loans, Inc.	2.01	91.28	60.85	13013 11-30-93	55558 4-20-81	QC Deed
16	TICOR Title Ins. Co. of CA, formerly Title Ins. & Trust Co., trustee; Horizon Land, Inc., defaulter	Lauvella M. Banner (76.63%) Frank C. Bosler (23.37%)	2.01	91.28	60.85	12884 11-30-93	100058 4-25-84	Trustee's Deed 100% conveyed due to Business Suspension noted above.

ABSTRACT OF TITLE

Please retain this sheet underneath the Summary of Ownership form

PERMIT 13013 (Cert. 4928)

PAGE 3 of 5

DEED NO.	GRANTOR	GRANTEE	CFS	AFA	ACRES	FILED UNDER DATE	DOC # DATE	DOCUMENT DESCRIPTION/REMARKS
17	Lauvella M. Banner Frank C. Bosler & Mary Bosler	Everett Temme & Selena Temme	2.01	91.28	60.85	12884 11-30-93	158055 7-10-87	G, B & S Deed 100% conveyed due to Business Suspension noted above.
18	Douglas County, by Barbara J. Reed, Treasurer	Ernest R. Frederick & Linda A. Frederick; Capital Mortgage & Loans, Inc.; Linda Lodato Bartlett; Kenneth P. Steelburg & Cheryl Steelburg; Lincoln Nevada, Inc.	--	--	--	13013 11-30-93	171964 2-3-88	QC Deed
19	Capital Mortgage & Loan, Inc., debtor Melvyn J. Coben, trustee	Everett Temme	--	--	--	13013 11-30-93	196495 2-17-89	Amended Order Authorizing Sale
20	Capital Mortgage & Loan, Inc., debtor; and Horizon Land Co., its alter ego; Melvyn J. Coben, trustee	Everett Temme	2.01	91.3	60.85	13013 11-30-93	196500 2-17-89	QC Deed
21	Selena Temme, Defendant	Everett Temme, Plaintiff	--	--	--	12884 11-30-93	224441 4-23-90	Info Only: Amended Findings of Fact & Concl of Law
22	Everett Temme	The First American Financial Corporation	1.65	74.78	49.85	13013 11-30-93	216350 12-12-89	G, B & S Deed
23	The First American Financial Corporation	A. H. Osterkamp, Jr.	1.65	74.78	49.85	13013 11-30-93	216351 12-12-89	G, B & S Deed

ABSTRACT OF TITLE

Please retain this sheet underneath the Summary of Ownership form

PERMIT 13013 (Cert. 4928)
PAGE 4 of 5

3:73-cv-00127-MMD-CSD Document 2610548 Filed 05/27/

DEED NO.	GRANTOR	GRANTEE	CFS	AFA	ACRES	FILED UNDER DATE	DOC		DOCUMENT DESCRIPTION/REMARKS
							#	DATE	
24	Selena Temme	Joe Fedele (20% int.)	--	--	--	12884 11-30-93	238892 11-15-90		Info Only: Indiv. Grant Deed
25	Joe Fedele, Barbara Fedele, Fedelely Corp., Defendants	Everett Temme, Plaintiff	--	--	--	12884 11-30-93	298361 1-28-93		Info Only: Notice of Lis Pendens
26	Selena Temme, Defendant	Everett Temme, Plaintiff	--	--	--	12884 11-30-93	298480 1-29-93		Info Only: Cert. of Sale
27	Joe Fedele, Barbara Fedele, Fedelely Corp., Defendants	Everett Temme, Plaintiff	--	--	--	12884 11-30-93	305770 4-28-93		Info Only: Release of Notice of Lis Pendens
28	Everett Temme	Selena Temme	--	--	--	12884 11-30-93	305771 4-28-93		Info Only: Release of Judgment Lien
29	Joe Fedele, Barbara Fedele, Fedelely Corp. Employee's Pension Fund, Inc.	Everett Temme	--	--	--	12884 11-30-93	305772 4-28-93		Info Only: QC Deed
30	Anthony H. Osterkamp, Jr.	aka A. H. Osterkamp, aka (Gus) Osterkamp, aka Anthony H. Osterkamp	--	--	--	13013 11-30-93	Orig. Doc. 9-23-93		Info Only: Affidavit of ID
31	Darlene O. Osterkamp	A. H. Osterkamp	1.65	74.78	49.85	13013 11-30-93	320989 10-25-93		QC Deed

ABSTRACT OF TITLE

Please retain this sheet underneath the Summary of Ownership form

PERMIT 13013 (Cert. 4928)
PAGE 5 of 5

DEED NO.	GRANTOR	GRANTEE	CFS	AFA	ACRES	FILED UNDER DATE	DOC # DATE	DOCUMENT DESCRIPTION/REMARKS
32	A. H. Osterkamp	DelStar Ranch	1.65	74.78	49.85	13013 11-30-93	320990 10-25-93	G, B & S Deed
33	Everett Temme, Trustor	Nevada Title Co., trustee Joseph Sugarman, benef	--	--	--	12884 11-30-93	318612 9-27-93	Info Only: Deed of Trust
34	Everett Temme	Joseph Sugarman	--	--	--	12884 11-30-93	318613 9-27-93	Info Only: Option Agreement (expiration date 9/30/99)
35	Joseph Sugarman	Everett Temme	--	--	--	12884 11-20-98	361849 5-10-95	Info Only: Release & Termination of Options
36	Joseph Sugarman, Successor Trustee & Beneficiary	Everett Temme	--	--	--	12884 11-20-98	0446771 8-10-98	Info Only: Subst. of Trustee & Deed of Reconvey. of D of Tr #318612
37	J. R. Hildebrandt, Affiant	Everett F. Temme, aka Everett Temme	--	--	--	12884 5-7-99	Orig Doc. 5-5-99	Info Only: Affidavit of ID
38	Everett F. Temme	Charles N. Mathewson July 22, 1992 Trust	0.36	16.5	11.0	12884 8-21-98	0443626 7-6-98	Water Rights QC Deed

STATE OF NEVADA

DIVISION OF WATER RESOURCES

SUMMARY OF OWNERSHIP

Please retain this sheet on top of file

Page 1 OF 1

PERMIT: 12885

USE:

IRR

CFS:

2.23

DUTY:

AFA

68.59

ACRES

CERTIFICATE: 4927

ISSUED:

12-23-59

CFS:

2.23

DUTY:

AFA

68.59

ACRES

REVIEW

DATE: 5-11-99

BY: RHZ

SUPPLEMENTAL TO:

APPURT-

ENANT

DUTY

AFA

ACRES

CHANGED BY:

REFERENCED

DOCUMENTS

DESCRIPTION

Charles N. Mathewson July 22, 1992
Trust

2.23

274.36

68.59

29

ENCUMBRANCE(S) : YES () NO (X)

244-2-25

ADDRESSES

OWNER OF RECORD:

Charles N. Mathewson, July 22, 1992 Trust
9205 Prototype Drive
Reno, NV 89511 5/99

NEW ADDRESS FOR AGENT
THIEL ENGINEERING CONSULTANTS
500 DAMONTE RANCH PARKWAY #1056
RENO NV 89511
PER TEC 8/31/00 KG

ABSTRACT OF TITLE

Please retain this sheet underneath the Summary of Ownership form

12885 (Cert. 4927)

PERMIT

1 of 4

PAGE

DEED NO.	GRANTOR	GRANTEE	CFS	AFA	ACRES	FILED UNDER DATE	DOC # DATE	DOCUMENT DESCRIPTION/REMARKS
1	Estate of Freeman E. Fairfield, by Kenneth R. Davis, executor	Joseph T. Banner, Frank C. Bosler, Ron Kincade	2.23	274.36	68.59	12884 6-13-69	44302 5-1-69	G, B & S Deed
2	Joseph T. Banner & Lauvella M. Banner; Frank C. Bosler & Opal Shirley Bosler; Ron Kincade & Maryjean Kincade	Fairfield Ranches, Inc.	2.23	274.36	68.59	12884 6-13-69	44675 6-19-69	G, B & S Deed
3	Fairfield Ranches, Inc.	Walker River Development Company	2.23	274.36	68.59	12884 4-8-71	48631 7-7-70	G, B & S Deed
4	Walker River Development Company	Grant & Co.	2.23	274.36	68.59	12884 4-8-71	51880 3-15-71	G, B & S Deed
5	Grant & Co.	Walker River Development Company	2.23	274.36	68.59	12884 6-12-78	58113 3-9-72	QC Deed
6	Walker River Development Company	Joseph S. Ladato	2.23	274.36	68.59	12884 5-18-78	59920 6-13-72	QC Deed
7	Walker River Development Company	Joseph S. Ladato	2.23	274.36	68.59	12884 5-18-78	59921 6-13-72	QC Deed
8	Joseph S. Ladato, trustor	First American Title Co. of Nevada, trustee; Lauvella T. Banner, executrix (76.63%) & Frank C. Bosler (23.37%), benef	2.23	274.36	68.59	12884 6-7-79	Douglas Co. 87682 3-8-76	Info Only: Deed of Trust

ABSTRACT OF TITLE

Please retain this sheet underneath the Summary of Ownership form

12885 (Cert. 4927)

PERMIT

PAGE 2 of 4

DEED NO.	GRANTOR	GRANTEE	CFS	AFA	ACRES	FILED UNDER DATE	DOC # DATE	DOCUMENT DESCRIPTION/REMARKS
9	Joseph S Ladato, trustor	First American Title Co. of Nevada, trustee	--	--	--	12884 6-7-79	04099 10-20-76	Info Only: Notice of Breach & Default
10	Joseph S Ladato, trustor	First American Title Co. of Nevada, trustee	--	--	--	12884 6-7-79	04785 11-22-76	Info Only: Amended Notice of Breach & Default
11	First American Title Co. of Nevada, trustee	Lauvella M. Banner, who acquired title as Lauvella T. Banner (76.63%) & Frank C. Bosler (23.37%)	2 23	274.36	68.59	12884 6-7-79	12163 8-19-77	Trustee's Deed upon Sale
12	Lauvella M. Banner, who acquired title as Lauvella T. Banner (76.63%) & Frank C. Bosler (23.37%)	Horizon Land, Inc.	2 23	274.4	68.59	12884 11-30-93	49274 10-6-80	G, B & S Deed
13	Horizon Land, Inc., trustor	Title Insurance & Trust Co., trustee; Lauvella M. Banner (76.63%) & Frank C. Bosler (23.37%), benef.	--	--	--	12884 11-30-93	49276 10-6-80	Info Only: Deed of Trust
14	Horizon Land, Inc., defaultor	----	--	--	--	12884 5-7-99	Letter 5-5-99	Bus. Suspended per CA Franchise Tx Bd. as of 7-1-82. See related documents in 35605
15	TICOR Title Ins. Co. of CA, formerly Title Ins. & Trust Co., trustee; Horizon Land, Inc., defaultor	Lauvella M. Banner (76.63%) Frank C. Bosler (23.37%)	2 23	274.4	68.59	12884 11-30-93	100058 4-25-84	Trustee's Deed 100% conveyed due to Business Suspension noted above.
16	Lauvella M. Banner Frank C. Bosler & Mary Bosler	Everett Temme & Selena Temme	2 23	274.4	68.59	12884 11-30-93	158055 7-10-87	G, B & S Deed 100% conveyed due to Business Suspension noted above.

ABSTRACT OF TITLE

Please retain this sheet underneath the Summary of Ownership form

PERMIT 12885 (Cert. 4927)

PAGE 3 of 4

DEED NO.	GRANTOR	GRANTEE	CFS	AFA	ACRES	FILED UNDER DATE	DOC #		DOCUMENT DESCRIPTION/REMARKS
							DATE	DATE	
17	Selena Temme, Defendant	Everett Temme, Plaintiff	--	--	--	12884 11-30-93	224441 4-23-90		Info Only: Amended Findings of Fact & Concl of Law
18	Selena Temme	Joe Fedele (20% int.)	--	--	--	12884 11-30-93	238892 11-15-90		Info Only: Indiv. Grant Deed
19	Joe Fedele, Barbara Fedele, Fedelely Corp., Defendants	Everett Temme, Plaintiff	--	--	--	12884 11-30-93	298361 1-28-93		Info Only: Notice of Lis Pendens
20	Selena Temme, Defendant	Everett Temme, Plaintiff	--	--	--	12884 11-30-93	298480 1-29-93		Info Only: Cert. of Sale
21	Joe Fedele, Barbara Fedele, Fedelely Corp., Defendants	Everett Temme, Plaintiff	--	--	--	12884 11-30-93	305770 4-28-93		Info Only: Release of Notice of Lis Pendens
22	Everett Temme	Selena Temme	--	--	--	12884 11-30-93	305771 4-28-93		Info Only: Release of Judgment Lien
23	Joe Fedele, Barbara Fedele, Fedelely Corp. Employee's Pension Fund, Inc.	Everett Temme	--	--	--	12884 11-30-93	305772 4-28-93		Info Only: QC Deed
24	Everett Temme, trustor	Nevada Title Co., trustee Joseph Sugarman, benef	--	--	--	12884 11-30-93	318612 9-27-93		Info Only: Deed of Trust

STATE OF NEVADA
DIVISION OF WATER RESOURCES

SUMMARY OF OWNERSHIP

Please retain this sheet on top of file

Page 1 OF 1

ACRES
ACRES

147.75

AFA

AFA

591.0

AFA

2.228

CFS

CFS

12-10-58

IRR

USE:

ISSUED:

PERMIT: 12884

CERTIFICATE: 4834

REVIEW

DATE: 5-11-99

BY: RHZ

SUPPLEMENTAL TO:

APPURT-

ENANT

ACRES

DUTY

AFA

CFS

CHANGED BY:

STATUS

REFERENCED

DOCUMENTS

DESCRIPTION

OWNER

Charles N. Mathewson July 22, 1992
Trust

591.00

147.75

2.228

29

ENCUMBRANCE(S) : YES () NO (X)

Case No. 12684 1st log 1491

Indexed under _____

Name of applicant / Report No. 9-106

Map _____

Stream x

Field Book x

Township 10 N. R. 22 E. 1

NW 1/4 NE 1/4 Section 26, Douglas

Application filed APR 28 1949

Applicant Freeman E. Fairfield **ASSIGNED**

Source of water Underground

Returned for correction _____

Corrected application received _____

Sent for publication MAY 18 1949

Proof of publication filed JUN 25 1949

Investigated on ground by _____

Protested _____

COMPUTER CHECK	
File Entry	<u>Doc</u>
Publication	<u>Doc</u>
Permit	<u>Doc</u>
Certificate	<u>Doc</u>

Ready for action _____

Approved Sept. 9, 1949 for 5.0 c.f.s. for Irrigation & Domestic

Denied _____

Withdrawn by applicant _____

Canceled _____

Well log filed _____

Proof of labor filed NOV 30 1950

Map filed May 10, 1949 CULTURAL MAP FILED AUG 6 1958 June 5, 1951

Proof of completion of work filed JUN 4 1952 June 5, 1952

Proof of beneficial use filed JUL 30 1958 NO FURTHER EXTENSION June 5, 1957-1958

Certificate No. 4834 issued 12/10/51 for 2.228 c.f.s. for irrigation 1958 1959 1956

Recorded 12/1/51 Bk. 8 Page 17 REMARKS EXT TO PREVENT FURTHER

Douglas County Records GRANTED TO: FFR 12 20001

SEE ADDRESS LIST

106 4834 to be removed

to be removed

ADDRESSES

OWNER OF RECORD:

Charles N. Mathewson, July 22, 1992 Trust
9205 Prototype Drive
Reno, NV 89511 5/99

**NEW ADDRESS FOR AGENT
THIEL ENGINEERING CONSULTANTS
500 DAMONTE RANCH PARKWAY #1056
RENO NV 89511
PER TEC 8/31/00 KG**

KEEP THIS SHEET AT TOP OF FILE FOR EASY REFERENCE